## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In Re Patent Application of: | ) |
| **CLARKE ET AL.** | ) Examiner: **D. VAUTROT** |
| | ) |
| Serial No. **10/787,515** | ) Art Unit: **2167** |
| | ) |
| Filing Date: **FEBRUARY 26, 2004** | ) Attorney Docket No. |
| | ) **ID-910 (80233)** |
| For: **COMMUNICATIONS SYSTEM HAVING** | ) |
| **DISTRIBUTED DATABASE** | ) |
| **ARCHITECTURE AND RELATED** | ) |
| **METHODS** | ) |
| | ) |

## PRE-APPEAL BRIEF REQUEST FOR REVIEW

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Responsive to the final Office Action of July 13, 2007, and in connection with the Notice of Appeal filed concurrently herewith, please consider the remarks set out below.

## REMARKS

Based upon the arguments presented below, Applicants respectfully request the Pre-Appeal Conference Panel reconsider and withdraw the Examiner's rejections of the claims.

In Re Patent Application of:
**CLARKE ET AL.**
Serial No. **10/787,515**
Filing Date: **FEBRUARY 26, 2004**

## I. The Claimed Invention

Independent Claim 1, for example, is directed to a communications system comprising a plurality of account databases each for storing information associated with different accounts, and a central database for storing location information associating each account with a respective account database, and also for storing shared system setup information. The system also includes at least one communications device for accessing account information, and an interface device. The interface device is for receiving an account access request from the at least one communications device for a desired account, for retrieving account location information from the central database for the desired account, and interfacing the at least one communications device with the respective account database associated with the desired account based thereon, and for caching the account location information and using the cached account location information for subsequently interfacing the at least one communications device with the respective account database. The interface device also retrieves and caches the shared system setup information for use in interfacing the at least one communications device with the respective account database.

Independent Claim 9 is directed to an interface device sub-combination. Independent Claim 14 is directed to a method counterpart to Claim 1. Independent Claim 17 is directed to a related computer-readable medium.

## II. The Claims Are Patentable

The Examiner rejected independent Claims 1, 9, 14, and 17 over Rierden et al. Rierden et al. discloses a subscriber management system that includes at least one Data Directory Server (DDS) located between one or more transaction generators and one or more data servers. The DDS routes transactions and provides data location functions. Based upon internal rules within the DDS and the particular transaction type, the DDS routes transactions to the

2

In Re Patent Application of:
**CLARKE ET AL.**
Serial No. **10/787,515**
Filing Date: **FEBRUARY 26, 2004**

appropriate servers. Transactions are classified according to where they may be executed. Specifically, transactions may be classified as SPECIFIC, ANY, or ALL. (Col. 4, lines 11-28).

The system of Rierden et al. further comprises an X-REF server for storing the location information, global tables, so the DDS accesses the correct data server based upon the data needed by the transaction request. (Col. 8, lines 31-39). Rierden et al. discloses that the DDS may either access the global tables on the X-REF server on a per transaction basis or at start-up, by loading the entire global table for full and complete operation. (Col. 8, lines 40-50; Col. 9, lines 8-13).

In contrast, independent Claims 1, 9, 14, and 17 recite receiving an account access request from the communications device for a desired account, retrieving account location information from the central database for the desired account, interfacing the communications device with the respective account database associated with the desired account based thereon, and caching the account location information and using the cached account location information for subsequently interfacing the communication device with the respective account database. In other words, the claimed invention caches the retrieved account location information after it is requested by the communications device, i.e. caching only what was needed in the past. Differently, the system of Rierden et al. loads the entire global table (irrespective of the previous transactions, since none have occurred at startup) from the X-REF server to the DDS at startup.

Alternatively, in a separate disclosed embodiment, Rierden et al. discloses a per transaction approach of accessing the global table, which incurs the bottlenecks and performance degradation discussed in the present application at paragraphs 23-24. Applicants submit that for Rierden et al. to hypothetically meet the claimed feature, the DDS would need to access the X-REF server based upon a transaction request, complete the transaction request with the client, and subsequently cache the accessed portion of the global table for subsequent use in other future transactions. Rierden et al. does not disclose this function; therefore, Rierden et al. does not

3

disclose the claimed invention, and none of the other prior art references of record make up for these critical deficiencies of Rierden et al.
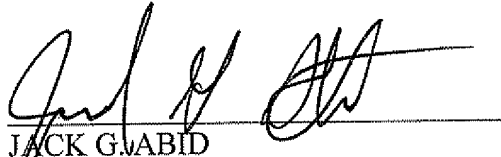
The Examiner contended "that upon a transaction generated from a transaction generator (or client), the DDS obtains and loads in memory (i.e. caches) a global table identifying accessible servers and therefore caches location information to subsequently select the appropriate data servers(s) for processing the transaction." (Emphasis added).

Applicants submit that the Examiner has mischaracterized Rierden et al. More specifically, and as discussed above, Rierden et al. discloses the second embodiment where the DDS loads the needed portion of the global table on a per transaction basis. (Col. 9, lines). It appears that the Examiner contended that this per transaction function discloses the claimed invention. In other words, the Examiner is contending that the actual completion of the subject transaction after accessing the global table for that transaction meets the claimed feature of using the cached account location information for subsequently interfacing the communications device with the respective account database. Differently, the interface driver of the claimed invention receives an account access request from the communications device for a desired account, retrieves account location information from the central database for the desired account, interfaces (completes pending transaction) the communications device with the respective account database associated with the desired account based thereon, and caches the account location information and uses the cached account location information for subsequently interfacing the communications device with the respective account database (subsequent additional transactions after the subject transaction).

In Re Patent Application of:
**CLARKE ET AL.**
Serial No. **10/787,515**
Filing Date: **FEBRUARY 26, 2004**

Accordingly, independent Claims 1, 9, 14, and 17 are patentable over the prior art. Their respective dependent claims, which recite yet further distinguishing features, are also patentable over the prior art and require no further discussion herein.

Respectfully submitted,

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